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RESPONSE TO OCTOBER 4, 2002 OFFICE ACTION  
PATENT APPLICATION NO.: 09/344,010  
PAGE NO. OF THIS TRANSMITTAL: -1-of-21-  
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PATENT 2/25/03  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>APPLICANT(S):</b>	S. Moore Tel.: 203-426-4052	<b>GROUP ART UNIT:</b>	2876
<b>APPLICATION SERIAL NO.:</b>	09/344,010	<b>EXAMINER:</b>	Larry D. Taylor Tel.: 703-306-5867 Fax: 703-746-4784 Fax (AF): 703-308-7722
<b>FILING DATE:</b>	25 June 1999	<b>DOCKET NO.:</b>	122995-43-34.2
<b>TITLE OF APPLICATION:</b>	Method and Apparatus for Purchased Product Security		

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))**

I hereby certify that this paper (along with any referred to as being deposited) was deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Date: February 3, 2003

Steven J. Moore

(Type or Print Name of Mailer)

(Signature of Mailer)

Box - Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**AMENDMENT AND RESPONSE TO OFFICE ACTION OF  
OCTOBER 4, 2002 PURSUANT TO 37 C.F.R. § 1.111**

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Applicant respectfully requests that the following amendments be entered, and the remarks set forth below be considered, as responsive to the outstanding Office Action in this case (bearing the mailing date of October 4, 2002).

**SUBSTANCE OF OCTOBER 29, 2002 INTERVIEW**

Applicant hereby extends his appreciation to the Examiner for the opportunity to interview at the U.S.P.T.O. on October 29, 2002. Applicant believes that certain understandings were reached during such interview as to inventive differences between certain embodiments of present interest to the Applicant and the prior art of record. However, Applicant respectfully

notes several erroneous interpretations, inexactitudes, and false impressions that might be drawn by others from the text of the PTO-413 interview summary which the Applicant would like to correct on the record.

First, it should be noted that Applicant's comments during the interview were drawn to the limitations of the embodiments of the invention that are of present interest to the Applicant and which Applicant intends to be covered by one or more claims before the Examiner. Applicant's comments were not directed to all of the inventive embodiments that are encompassed by the present disclosure, nor to any "heart of the invention," nor to those claims that do not specifically recite the limitations that were discussed. Second, Applicant notes that the phrase "item identifiers" that is presently asserted in certain of the claims before the Examiner are clearly (see dependent claims) not limited to, nor were they intended to be limited to, "embedded codes" (respectfully, such a limitation might arguably be inappropriately read into the claims by the Examiner's use of the phrase "embedded code" in the "substance of interview summary" on the PTO-413).

Further, for clarity sake, Applicant notes that during interview it was asserted that Scroogie's disclosure of a thermoplastic material does not teach or suggest the use of a molten or semi-molten material for encoding in the manner described in unamended claim 26. That is, the Applicant suggested that the term "thermoplastic" references a type of plastic rather than a molten or semi-molten material. Further, Applicant notes that during interview the Applicant asserted that the "item identifier" embodiments of the invention of present interest to the Applicant, and that are desired to be asserted in those claims employing such term that are presently before the Examiner, permit one to identify the manufacturer of the particular item from the identifier, and of course, it was not meant that the code comprised "specifically the manufacturer" itself.

In conformity with the substance of the interview with respect to the embodiments of Applicant's invention that are of present interest to the Applicant, and which the Applicant presently desires to present for examination, the Applicant has amended the claims herein that previously referenced a "product identifier" to now recite a "item identifier," indicated to be an identifier that is unique to the item to which the identifier is associated, thus differentiating "item